



**WORKERS' COMPENSATION BOARD** OF BRITISH COLUMBIA  
 6951 Westminster Highway, Richmond, BC  
 Mailing Address: PO Box 5350, Vancouver BC, V6B 5L5  
 Telephone: 604 276-3100 Toll Free 1-888-621-7233 Fax 604 276-3247

## INSPECTION REPORT

WORKER AND EMPLOYER  
 SERVICES DIVISION

An employer who fails to comply with the Occupational Health & Safety Regulation or Board orders or directions is subject to sanctions as prescribed in the Workers' Compensation Act.

The Occupational Health & Safety Regulation requires that one copy of this report remain posted in a conspicuous place at or near the operation inspected for at least seven days, or until compliance has been achieved, whichever is the longer period.

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Date of Issue	Number	Number of Orders	Employer	Location	Classification Unit Number	Activity Time Recorded*	Travel Time Recorded*
2012/08/07	2012165930139	18	485623	001	701003	1.00	0.50

\*The Time Recorded reflects only that time which has been charged to this inspection up until the document was printed for delivery. Subsequent time may be added for additional activity related to this inspection.

Number of Workers	Project Number	Site Visit Date	Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)
101 or more		2012/08/03	N	N	N	

Head Office	Job Site
PUREWAL BROS. ENTERPRISES LTD. 13753 HALERD  PITT MEADOWS BC V3Y1Z1	PUREWAL BROS. ENTERPRISES LTD 18799 AIRPORT WAY PITT MEADOWS  Pitt Meadows BC

Portion Inspected	Incident
Violations	REFER TO ORDERS ON FOLLOWING PAGE(S)

Employer Representative Name	Accompanied by Employer Representative
GURJIT PUREWAL	GURJIT PUREWAL
Employer Representative Position	Accompanied by Worker Representative
OWNER	Driver
Phone Number	Organization
(465) 695	NON-UNION
Signature	Officer of the Board / Signature
	Campbell, Jeanette

<b>For Internal Use Only</b>
Delivery Method: In Person

WorkSafeBC is subject to the Freedom of Information and Protection of Privacy Act. Information has been severed from this record under the Act



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### Inspection Text

On August 3, 2012 OSO Glendinning and I conducted an inspection at Purewal Brothers in Pitt Meadows. OSO Al Goodman and I returned on August 4, 2012 to complete the inspection and meet with the employer representative and workers who were not available the previous day. This inspection arises out of media reports that a farm worker had been seriously injured earlier this year. During the inspection, we interviewed the President of Purewal Brothers, the Director of Purewal Blueberry Farms, the quality control manager, the Processing Manager, a supervisor and two workers (including the designated occupational first aid attendant).

Preliminary information gathered at the time of the inspection indicated the following sequence of events with respect to the incident that occurred on April 29, 2012. The worker was one of ten workers in a blueberry field spray applying the herbicide (Touchdown - glyphosate) using a boom-mounted spray applicator that was towed by a tractor. The worker was injured when the spray applicator tipped onto them. At some point, after the tank/spray applicator was righted, the worker's supervisor was contacted. They phoned the employer representative at the processing plant, who responded to the incident and transported the worker to the processing plant using a van. The employer representative then contacted the designated occupational first aid attendant (OFA) and called 911. The ambulance arrived before the OFA and transported the worker to the hospital.

Based on the observations made and the documentation provided during my site inspection, I have issued the orders on the following pages.

The employer is advised that Board policy requires the consideration of imposing an administrative penalty for an employer's non-compliance with the occupational health and safety requirements in the Act and Regulations.

#### Documents Provided to the Employer Representative

The employer was provided with the following information to assist them in compliance.

- 1) Definition of Serious Injuries (re: WorkSafeBC Guideline G-D10-172-1 Notification of serious injuries)
- 2) First Aid Assessment Worksheets,

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GURJIT PUREWAL	Campbell, Jeanette


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3) Sample new worker orientation (extract from Health and Safety for Greenhouses and Nurseries).

4) Pesticide Storage information (extract from Standard Practices for Pesticide Applicators),

5) Sample written procedures for respirator usage.

Documents Requested from the Employer Representative

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1) First aid policy,

2) Spray records for the dates of April 23 through May 2, 2012 (inclusive) for the field where the incident occurred,

3) Names of the workers who were working with the injured worker at the time of the incident.

For more information or questions regarding these orders, please contact:

Jeanette Campbell  
Occupational Hygiene Officer  
WorkSafeBC  
phone: 604.232.1962  
fax: 604.232.1946  
e-mail: jeanette.campbell@worksafebc.com

\*\*\*\*\*  
More information about health and safety, including the Workers Compensation Act and the Occupational Health and Safety Regulation may be found at the WorkSafeBC website ([www.worksafebc.com](http://www.worksafebc.com)).

To report a serious accident/incident or major chemical release call:  
604 276-3100 in the Lower Mainland  
1 888 621-7233 toll-free within B.C.

To report after hours safety and health emergencies, call 1 866 922-4357  
\*\*\*\*\*

A review of the order(s) in this inspection report has determined that further enforcement action may be appropriate. Further notification will be provided on an update of this inspection report.

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### Orders

Order No.	1	Decision	A	WCB Reference	WCA115.(2)(e)
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At the time of the inspection, the employer representative was unable to demonstrate that they had provided workers with the instruction, training and supervision to ensure the health and safety of those workers in carrying out their work, as evidenced by:

- the absence of a designated occupational first aid attendant on the day of the incident,
- failure to promptly provide first aid to the injured worker,
- improper transport of the injured worker by an employee who was not a first aid attendant,
- the absence of written first aid procedures,
- the absence of a first aid record for the injured worker,
- failure to report the serious injury to the Board,
- disturbance of accident scene,
- failure to immediately undertake an investigation into the accident,
- lack of records of the workers' health and safety orientation and training (re: New worker orientation).

This is in contravention of the Workers Compensation Act Section 115 (2) (e).

An employer must provide to the employer's workers the information, instruction, training and supervision necessary to ensure the health and safety of those workers in carrying out their work and to ensure the health and safety of other workers at the workplace.

Without undue delay, the employer must implement an internal responsibility system that assigns responsibilities and authority to ensure the health and safety of workers. At a minimum this system must implement measures to ensure:

- adequate first aid services are provided,
- accidents and incidents are investigated as required by the Act,
- regular workplace inspections are occurring and,
- workers are provided with effective instruction, training and supervision.

Order No.	2	Decision	A	WCB Reference	WCA172.(1).(a)
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On April 29, 2012 while employed by this employer, a worker sustained

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serious injuries when a spray tank containing herbicide tipped onto them. The injury sustained by the worker met the definition of a serious injury (re: WorkSafeBC Guideline G-D10-172-1 Notification of serious injuries). At the time of the inspection, more than three months later, the employer had not notified the Board of this accident.

This is in contravention of the Workers Compensation Act Section 172 (1) (a).

An employer must immediately notify the board of the occurrence of any accident that resulted in serious injury to or the death of a worker.

Without undue delay, the employer must provide written assurance of the steps they have taken to ensure that the Board is notified of the occurrence of any incident that

- results in serious injury to or the death of a worker,
- involves a major structural failure or collapse of a building, bridge, tower, crane, hoist, temporary construction support system or excavation,
- involves the major release of a hazardous substance, or
- is an incident required by regulation to be reported.

Order No	3	Decision	A	WCB Reference	WCA172(2)
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At the time of the inspection, it was determined that the scene of the accident that seriously injured the worker was disturbed beyond what was necessary to attend to the injured worker.

This is in contravention of the Workers Compensation Act Section 172(2)

Except as otherwise directed by an officer of the Board or a peace officer, a person must not disturb the scene of an accident that is reportable under subsection (1) except so far as is necessary to:

- (a) attend to persons injured or killed,
- (b) prevent further injuries or death, or
- (c) protect property that is endangered as a result of the accident.

Without undue delay, the employer must provide written assurance of the steps that they have taken to ensure the scene of any accident, which must be immediately reported to the Board is not disturbed except in the situations noted above.

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Order No.	4	Decision	A	WCB Reference	WCA 173.(1).(a)
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At the time of the inspection, the employer representative reported they had not immediately undertaken an investigation into the cause of the accident/incident that seriously injured a worker on April 29, 2012.

This is in contravention of the Workers Compensation Act Section 173 (1) (a).

An employer must immediately undertake an investigation into the cause of any accident or other incident that is required to be reported by Workers Compensation Act Section 172.

Workers Compensation Act Part 3 Division 10 Subsection 173 (1) does not apply in the case of a vehicle accident occurring on a public street or highway.

Without undue delay, the employer must conduct the investigation into the cause of the accident that injured the worker on April 29, 2012; the completed report must be forwarded to the officer by e-mail or fax.

Order No.	5	Decision	F	WCB Reference	OHS 3.16.(1).(a)
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Berry farming has been assigned a moderate hazard rating for first aid services. At the time of the inspection, an employer representative stated the designated first aid attendant was not called until after the seriously injured worker was transported back to the processing plant. The employer representative reported that it took approximately 30 minutes to drive to the field, collect the worker and return to the plant. This is evidence the employer had not ensured adequate and appropriate first aid services were in place at the time of the incident to promptly render first aid (e.g., within 10 minutes total travel time).

This is in contravention of the Occupational Health and Safety Regulation Section 3.16 (1) (a).

The employer must provide for each workplace such equipment, supplies, facilities, first aid attendants and services as are adequate and appropriate for

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- (a) promptly rendering first aid to workers if they suffer an injury at work, and
- (b) transporting injured workers to medical treatment.

Compliance for this order cannot be achieved since it is based on events that have already occurred. Order tracking will cease.

Order No	6	Decision	F	WCB Reference	OHS3.16(1)(b)	
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At the time of the inspection, an employer representative reported that the seriously injured worker was transported from the accident site to the processing plant in a van by an employer representative who did not have first aid training. This is evidence the employer had not ensured adequate and appropriate first aid services were in place at the time of the incident to transport an injured worker to medical treatment.

This is in contravention of the Occupational Health and Safety Regulation Section 3.16(1)(b).

The employer must provide for each workplace such equipment, supplies, facilities, first aid attendants and services as are adequate and appropriate for

- (a) promptly rendering first aid to workers if they suffer an injury at work, and
- (b) transporting injured workers to medical treatment.

Compliance for this order cannot be achieved since it is based on events that have already occurred. Order tracking will cease.

Order No	7	Decision	A	WCB Reference	OHS3.16(2)(b)	
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At the time of the inspection, the employer representative reported the Level 2 occupational first aid attendant, who worked in the production plant on Hale Road was the designated first aid attendant for the workers assigned to the field where the incident occurred (18799 Airport Way, Pitt Meadows). Based on the travel distance and the presence of physical barriers (e.g., railroad tracks), the OFA would not have been able to respond to the incident within ten minutes. This is evidence that there was no first aid assessment in place at the time of the incident that adequately addressed the first aid requirements for field workers.

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This is in contravention of the Occupational Health and Safety Regulation Section 3.16(2)(b).

For the purpose of complying with subsection 3.16(1), the employer must conduct an assessment of the circumstances of the workplace, including (b) the nature and extent of the risks and hazards in the workplace, including whether or not the workplace as a whole creates a low, moderate or high risk of injury.

Without undue delay, the employer must conduct an assessment to determine the first aid services required.

Order No.	8	Decision	A	WCB Reference	OHS3.17(1)
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At the time of the inspection, the employer representative reported there was signage in the field to call the farm office on the day of the incident. It was reported that after the accident occurred, workers called their supervisor, who then called the plant office. The designated first aid attendant was not called until after the worker was transported back to the processing plant. This is evidence that the employer did not have effective written first aid procedures at the time of the incident.

This is in contravention of the Occupational Health and Safety Regulation Section 3.17(1).

The employer must keep up-to-date written procedures for providing first aid at the worksite including

- (a) the equipment, supplies, facilities, first aid attendants and services available,
- (b) the location of, and how to call for, first aid,
- (c) how the first aid attendant is to respond to a call for first aid,
- (d) the authority of the first aid attendant over the treatment of injured workers and the responsibility of the employer to report injuries to the board,
- (e) who is to call for transportation for the injured worker, and the method of transportation and calling, and
- (f) prearranged routes in and out of the workplace and to medical treatment.

Without undue delay, the employer must develop written first aid

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procedures which address all of the required elements identified above.

Order No	9	Decision	F	WCB Reference	OHS3.19.(1)
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At the time of the inspection, no first aid record was available for the worker who was seriously injured in the April 29, 2012 incident.

This is in contravention of the Occupational Health and Safety Regulation Section 3.19(1).

The employer must maintain at the workplace, in a form acceptable to the Board, a record of all injuries and exposures to contaminants covered by this Regulation that are reported or treated.

Compliance for this order cannot be achieved since it is based on events that have already occurred. Order tracking will cease.

Order No	10	Decision	A	WCB Reference	OHS3.23(2)
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The employer representative described the health and safety training provided to workers, including the injured worker. They provided a copy of a written document that workers sign (in English and Punjabi). The described documentation did not include all of the required topics for new or young worker orientation and training. Missing topics included (but were not limited to) the worker's rights and responsibilities (such as the right to refuse unsafe work), hazards to which they may be exposed, first aid procedures, emergency procedures and, WHMIS requirements.

This is in contravention of Occupational Health and Safety Regulation Section 3.23(2).

The following topics must be included in the young or new worker's orientation and training:

- (a) the name and contact information for the young or new worker's supervisor;
- (b) the employer's and young or new worker's rights and responsibilities under the Workers Compensation Act and this Regulation including the reporting of unsafe conditions and the right to refuse to perform unsafe work;
- (c) workplace health and safety rules;

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- (d) hazards to which the young or new worker may be exposed, including risks from robbery, assault or confrontation;
- (e) working alone or in isolation;
- (f) violence in the workplace;
- (g) personal protective equipment;
- (h) location of first aid facilities and means of summoning first aid and reporting illnesses and injuries;
- (i) emergency procedures;
- (j) instruction and demonstration of the young or new worker's work task or work process;
- (k) the employer's health and safety program, if required under section 3.1 of this Regulation;
- (l) WHMIS information requirements set out in Part 5, as applicable to the young or new worker's workplace;
- (m) contact information for the occupational health and safety committee or the worker health and safety representative, as applicable to the workplace.

Without undue delay, the employer must ensure that all new or young workers receive orientation that addresses all of the above topics. This training and orientation must be documented in accordance with Section 3.25 of the Occupational Health and Safety Regulation.

Order No	11	Decision	A	WCB Reference	OHS325	
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At the time of the inspection, the employer representative was unable to provide evidence of records of new worker orientation and training provided to field workers.

This is in contravention of Occupational Health and Safety Regulation Section 3.25.

An employer must keep records of all orientation and training provided under sections 3.23 and 3.24.

Order No	12	Decision	A	WCB Reference	OHS675	
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At the time of the inspection, the employer representative was unable to provide a material safety data sheet (MSDS) for the herbicide (Touchdown) applied on the day of the incident. The MSDS and pesticide label contain

Employer Representative	Officer of the Board
GURJIT PUREWAL	Campbell, Jeanette



**WORKERS' COMPENSATION BOARD** OF BRITISH COLUMBIA  
 6951 Westminster Highway, Richmond, BC  
 Mailing Address: PO Box 5350, Vancouver BC, V6B 5L5  
 Telephone 604 276-3100 Toll Free 1-888-621-7233 Fax 604 276-3247

## INSPECTION REPORT

WORKER AND EMPLOYER  
 SERVICES DIVISION

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The Occupational Health & Safety Regulation requires that one copy of this report remain posted in a conspicuous place at or near the operation inspected for at least seven days, or until compliance has been achieved, whichever is the longer period.

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Date of Issue	Number	Number of Orders	Employer	Location	Classification Unit Number	Activity Time Recorded*	Travel Time Recorded*
2012/08/07	2012165930139	18	485623	001	701003	1.00	0.50

important health and safety information such as the toxicity and hazards of the pesticide, personal protective equipment required, as well as, first aid and other emergency procedures.

This is in contravention of the Occupational Health and Safety Regulation Section 6.75.

The employer must make readily available to workers an MSDS or its written equivalent for all pesticides used at the workplace.

Without undue delay, the employer must ensure that MSDSs for the pesticides applied are readily available to the workers.

Order No	13	Decision	A	WCB Reference	OHS6.78(b)	
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At the time of the inspection, the employer representative reported there were no written safe work procedures for the cleanup and disposal of spilled pesticides.

This is in contravention of the Occupational Health and Safety Regulation Section 6.78(b).

The employer must develop and implement written safe work procedures for the cleanup and disposal of spilled pesticides.

Without undue delay, the employer must develop written spill procedures for the cleanup and disposal of spilled pesticides.

Order No	14	Decision	F	WCB Reference	OHS6.96	
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At the time of the inspection, it was reported that the injured worker's rain suit was removed after the accident. It was reported that the worker's clothing smelled of "pesticides" and that a health care provider removed their clothing for that reason. This is evidence that the worker's body was not adequately cleansed of herbicide immediately after the accident.

This is in contravention of the Occupational Health and Safety Regulation Section 6.96.

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GURJIT PUREWAL	Campbell, Joanne



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A worker must immediately cleanse any body area contaminated with pesticide.

Compliance for this order cannot be achieved since it is based on events that have already occurred. Order tracking will cease.

Order No	15	Decision	A	WCB Reference	OHS6.101(1)	
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At the time of the inspection, I observed that the pesticide storage building located at the Hale Road farm (which was reported to be on land owned by Purewal Brothers) did not have a lock on the door. I also observed that there was no lighting or mechanical ventilation provided.

This is in contravention of the Occupational Health and Safety Regulation Section 6.101(1).

The employer must supply a pesticide storage facility that meets the design criteria stated in the manual Standard Practices for Pesticide Applicators, published by the Workers' Compensation Board of BC, for the storage of bulk or reserve quantities of pesticides.

Without undue delay, the employer must ensure that the pesticide storage facility is locked and meets the design criteria stated in "Standard Practices for Pesticide Applicators".

Order No	16	Decision	A	WCB Reference	OHS8.5(b)	
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At the time of the inspection, the employer representative reported workers applying pesticides had been issued half-face respirators. They were unable to describe the type of filter/cartridge used with the respirators or where the respirators were currently stored. The employer representative reported that the workers had not been fit tested before issuing the respirators and that not all of the workers issued tight fitting respirators were clean shaven.

A worker reported single strap dust masks were worn on the day of the incident. I observed the dust mask did not have NIOSH approval; WorkSafeBC does not permit the wearing of unapproved respirators for optional or required usage.

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Workers may not be adequately protected from airborne hazards when provided with respirators that do not fit properly, have not been approved by NIOSH or another recognized agency or do not seal adequately (in the case of tight fitting respirators worn with beards). These observations are evidence that the employer does not have an effective respiratory protection program.

This is in contravention of the Occupational Health and Safety Regulation Section 8.5(b).

If personal protective equipment is required to protect against a chemical exposure or an oxygen deficient atmosphere the employer must implement an effective protective equipment program at the workplace which includes written procedures for selection, use, inspection, cleaning, maintenance and storage of protective equipment, when required.

Without undue delay, the employer must develop written procedures for the selection, use, inspection, cleaning, maintenance and storage of respirators.

Order No	17	Decision	A	WCB Reference	OHS8.40(1)	
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At the time of the inspection, the employer representative reported that field workers who spray applied pesticides had been issued tight fitting respirators. They reported that the workers had not been fit tested before they had been assigned respirators.

This is in contravention of the Occupational Health and Safety Regulation Section 8.40(1).

A respirator which requires an effective seal with the face for proper functioning must not be issued to a worker unless a fit test demonstrates that the facepiece forms an effective seal with the wearer's face.

Without undue delay, the employer must ensure all respirator wearers are fit tested following the procedures described in CSA Z94.4-02.

Order No	18	Decision	AD	WCB Reference	WCA194(1)	
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You are required to notify the Board, in writing, of the steps to be taken

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and the time frame required to correct the contraventions cited in order numbers 1 through 17.

The Notice of Compliance shall be delivered to the attention of this officer by August 15, 2012. The written plan may be:

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Faxed to: (604) 232-1946 or,

Mailed to: WorkSafeBC, Coquitlam Office,  
 Suite # 104 - 3020 Lincoln Avenue,  
 Coquitlam, B.C., V3B 6B4 or,

Emailed to: jeanette.campbell@worksafebc.com

I can also be contacted via office phone: (604) 232-1962.

This order includes a requirement for a compliance report in accordance with WCA section 194(1).

Employer Representative	Officer of the Board
GURJIT PUREWAL	Campbell, Jeanette